

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DOYLE WHEELER and CARRI WHEELER,)	
husband and wife, individually)	NO. CV-10-0202-LRS
and on behalf of similarly)	
situated Washington residents,)	ORDER RE ATTORNEY FEES INCURRED
)	FOR MOTION TO COMPEL
Plaintiffs,)	
)	
-vs-)	
)	
NOTEWORLD, LLC, d/b/a NOTEWORLD)	
SERVICING CENTER, a Delaware)	
limited liability company;)	
NATIONWIDE SUPPORT SERVICES,)	
INC., a California corporation;)	
FREEDOM DEBT CENTER, a)	
California corporation; and JOHN)	
and JANE DOES A-K,)	
)	
Defendants.)	

BEFORE THE COURT is Plaintiffs' Declaration Regarding Expenses Incurred in Bringing Plaintiffs' Motion to Compel (ECF No. 86) and Defendant Nationwide Support Services Inc.'s Objections to Plaintiffs' Request For Fees and Expenses (ECF No. 88).

On December 1, 2011, the Court entered an Order Granting Plaintiff's Motion to Compel (ECF No. 85), in which the Plaintiffs were awarded their fees upon preparation of an itemization of such fees and an opportunity

1 for Defendants to respond. The Court, however, indicated at that time
2 that the amount awarded would take into account the somewhat complicated
3 procedural history of this case and other equitable considerations.

4 Plaintiffs indicate the fees incurred for the motion to compel were
5 \$4,755.00. Defendants object to the total sum, and argue that they took
6 "reasonable and prudent steps to work with Plaintiffs' counsel to address
7 discovery issues and to preserve the confidentiality of customer and
8 business information that may be at issue." ECF No. 88. Defendants
9 further note that a final "Stipulation for Confidentiality" was approved
10 and circulated to all parties in early December. Nationwide also argues
11 that the total sum does not appear to be accurate. Nationwide points out
12 that the entry on October 19 lists 2 hours and \$410 to "review and revise
13 motion to compel arbitration as to Nationwide," which is not a motion at
14 issue. Additionally, it is noted that there are six different
15 timekeepers on plaintiffs' proposed cost invoice for their motion - three
16 attorneys, two legal assistants, and one senior complex litigation
17 paralegal - with repetitive entries. Nationwide respectfully submits
18 that Plaintiffs' request for \$4,755 is excessive given the totality of
19 the circumstances. ECF No. 88.
20

21 Having reviewed all papers filed in support of the fees
22 determination, as well as all papers filed in opposition to said fees,
23 and for the reasons explained above, **IT IS HEREBY ORDERED:**
24

25 1. Plaintiff's request for Attorney Fees is **GRANTED IN PART AND**
26 **DENIED IN PART.**

